

ESTTA Tracking number: **ESTTA276193**

Filing date: **04/06/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91188687
Party	Defendant Barbara E. Nicholls
Correspondence Address	BARBARA E. NICHOLLS 11500 BRADSON PLACE #3 CULVER CITY, CA 90230-5624 UNITED STATES
Submission	Other Motions/Papers
Filer's Name	Barbara E. Nicholls
Filer's e-mail	libra_rising62@hotmail.com
Signature	/bnicholls/
Date	04/06/2009
Attachments	I Am Prosperity Maduk Ltr 20090310 PO Receipts 20090313.pdf ( 1 page ) (802500 bytes ) I Am Propserity-Follow up 20090405.pdf ( 1 page )(797622 bytes )

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Sent To  
Andrew J. Maduk  
Street, Apt. No.,  
or PO Box No. PO Box 16243  
City, State, ZIP+4  
Beverly Hills, CA 90209

PS Form 3800, August 2006

See Reverse for Instructions

11500 Bradson Place #3  
Culver City, CA 90230-5624  
(310) 391-4602

**VIA HTTP://ESTTA.USPTO.GOV**

April 5, 2009

Commissioner for Trademarks  
Trademark Trial and Appeal Board  
Alexandria, Virginia

Re: Serial No. 77465164 and Opposition No. 91188687

Hello~

I am writing with a follow-up to my letter of March 10, 2009.

I attempted, a second time, to reach Opposer Mr. Andrew J. Maduk via USPS Certified and Return-Receipt mail. On March 13, 2009, I sent him a copy of my previous correspondence along with a copy of the March 10 letter to the TTAB. When I did not hear from him, and also did not receive my Return Receipt postcard, I followed up with USPS and my local Post Office. My local Post Office spoke with Mr. Maduk's Beverly Hills Post Office and learned the following:

- Even though the letter was mailed on March 13, Priority (2-3 day service), it took EIGHT days for the letter to travel just a few miles. The letter was received by the Beverly Hills Post Office on March 21.
- Even though the letter was mailed Certified/Return Receipt, the Beverly Hills Post Office failed to scan the Certified bar code into the system. Still, they confirmed for my local (Culver City) Post Office representative that the 'notice of letter waiting for signature' went into Mr. Maduk's PO Box on March 21.
- As of April 1, that notice was still sitting in the PO Box. The notice has been in Mr. Maduk's PO Box for just over 10 days.

Please note that in the March 10 letter, I mentioned that the Zen Giant website contained a PO Box contact but not a phone number. After looking at the website, again, I realized that I was mistaken; it does not contain any type of contact information.

Please let me know if you require additional information from me, or have questions or comments in this regard.

I believe the next step is yours. If this is true, I respectfully request that a Notice of Allowance be issued for I Am Prosperity in my name.

Thank you for your kind consideration of this request.

Sincerely,



Barbara E. Nicholls

Attachment:

Certified Mail Receipt and USPTO receipt for payment of Priority flat rate envelope, Certified Mail and Return Receipt postcard